

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Thomas H. Bray,

Plaintiff,

vs.

Bank of America, MERS, Inc.,

Country Wide Home Loans, et al.,

Defendants.

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ORDER

Case No. 1:09-cv-00075

A status conference in this matter was held on July 8, 2010 to take up, among other matters, clarification of the plaintiff's proper mailing address. Plaintiff appeared pro se, and John Petrik was present on behalf of the defendants.

Plaintiff presented the court and counsel with the address at which he now wishes to receive mail in the above captioned case. The court accepted the mailing address and instructed plaintiff that defense counsel is not obligated to resend documents that have been refused by plaintiff, that he may request copies of documents that he did not receive from the clerk of court's office, and that neither the court nor defense counsel will be responsible for any failure by plaintiff to receive or accept future mailings at the new address.

Defense counsel raised several issues regarding plaintiff's recent filings, in particular, a document that was filed on July 7, 2010, at Docket No. 111. The court advised plaintiff that although the court has afforded him wide latitude in his filings, he must follow the Federal Rules of Civil Procedure. The court concluded that plaintiff's document at Docket No. 111 was defective and not an operative pleading or discovery request, and that defendants are not required to respond.

Therefore, based upon the foregoing, the court **ORDERS** the following:

1. Plaintiff's address of record in the above captioned matter shall be amended, and all future mailings from the court and defendants shall be sent to:

Thomas Herbert Bray
c/o Meriel Kulish
101 52nd Street SE
Bismarck, ND 58501

2. Plaintiff's brief, Docket No. 111, is not an operative discovery request or pleading, and defendants are not required to make a response.

IT IS SO ORDERED.

Dated this 12th day of July, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge